

United States District Court
Eastern District of New York

MINUTE ORDER

13cv01374 (ILG) (MDG) ESPINOZA V. CITY OF NEW YORK, et al.

This Order sets forth rulings made on the record at a conference held on February 5, 2015 granting in part and denying in part the defendants' motions to compel (ct. docs. 27, 29).

1. Financial/Bank Statements. Plaintiff must produce monthly bank statements showing only deposits from 12/17/11 to the present. However, plaintiff must disclose the bank statement for the period covering 12/17/11.
2. Arrest History. Plaintiff must provide an unsealing release for his arrest history and OLPA printout.
3. Social Media. As to information from plaintiff's social media accounts, plaintiff must produce all postings, communications and photographs from 12/17/11 to 12/17/12, "that reveal, refer, or relate to any emotion, feeling, or mental state . . . and that reveal, refer or relate to events that could reasonably be expected to produce a significant emotion, feeling or mental state." Reid v. Ingerman Smith LLP, 2012 U.S. Dist. LEXIS 182439, at *7 (E.D.N.Y. 2012) (internal quotation marks omitted). Postings, communications and photographs posted by third parties must be produced to the extent they depict plaintiff or his activities between 12/17/11 and 12/17/12 or contain third parties' observations of plaintiff during that period. Any of the documents ordered to be produced herein may be designated as "Confidential Materials," in which case, they must be treated as described in the Protective Order (ct. doc. 24). In addition to the requirements in the Protective Order, no party may file any photograph containing a picture of a minor unless there is a compelling need.

SO ORDERED.

Dated: Brooklyn, New York
February 6, 2015

/s/_____
MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE